



COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, MAY 27, 2003

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: April 22, 2003 and May 13, 2003

OLD BUSINESS:

1. **FINAL AWARD AND DISTRIBUTION OF THE MEASURE P BUILDING ALLOCATIONS
FOR FISCAL YEAR 2004-05 OPEN MARKET COMPETITION:**

Recommendation: Adopt Resolution No. 03-17, with recommendation to forward request to the City Council for approval.

2. **ZONING AMENDMENT, ZAA-98-16: CONDIT-HORIZON LAND:** A request for approval to amend the Horizon Land Planned Unit Development (PUD) and precise development plan to allow for the construction of a 30,027-sf Ford Dealership on an approximate six acre site. The Horizon Land PUD is located between Condit Rd and Hwy 101, north of E. Dunne Avenue. (APN 728-17-019)

Recommendation: Adopt Resolution No. 03-31, with recommendation to forward to City Council for approval.

NEW BUSINESS:

3. **SUBDIVISION, SD-03-02/DEVELOPMENT AGREEMENT, DA-03-03: HALE-GARCIA:** A request for approval of a 12-lot subdivision located within the Capriano project located on the west side of Monterey Rd., east of Hale and south of Tilton Ave. Also requested is the approval of a development agreement for the phase V of the Capriano project. (Portion of APN 764-09-031)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 03-32 (subdivision) and 03-33 (development agreement), with recommendation to forward to City Council for approval.

4. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-01-07: COCHRANE-MISSION**

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VIEW: A request to amend the project development agreement for phase V of the Mission Ranch project located on the south side of Cochrane Rd. between Peet Rd. and Mission View Dr. The amendment request is for a 6-month extension of 15 building allocations granted for FY 2002-2003. (APN 728-32-001)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 03-34, with recommendation to forward to City Council for approval.

5. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-02-01: CHURCH-SOUTH COUNTY HOUSING:** A request to amend the project development agreement for a 72 unit multi-family development located on the east side of Monterey Rd. adjacent to the south side of the Morgan Hill Post Office. The amendment request is for a 12 month extension of 36 building allocations granted for FY 2002-2003. (APN 817-02-03, 04, 05, 22, 23 & 38)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-35, with recommendation to forward to City Council for approval.

6. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-08: BERKSHIRE-SINGH:**A request for approval to amend an existing development agreement for a four-unit project proposed at the northeast corner of Hale Avenue and Llagas Road. The development agreement amendment would allow for an extension of time to commence construction of the four units. (APN 764-23-054)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-36, with recommendation to forward to City Council for approval.

7. **EXTENSION OF TIME, EOT-03-06: MCLAUGHLIN-JONES:** A request for an extension of loss building allocation of twelve months for five building allocations. The site is located on E. Central Avenue, east of Monterey Road located in the R2-3,500 and R3 zoning districts. (APN 726-24-006 and 726-24-007)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-37, with recommendation to forward to City Council for approval.

8. **ANNEXATION, ANX-03-01: HILL-GERA:** The applicant is requesting annexation of six (6) parcels totaling 19.50 acres into the City of Morgan Hill. The project site is pre-zoned RE (40,000)/RPD Residential Estate/Residential Planned Development. The project site is located on the west side of Hill Road, north of Pear Drive and south of the southerly boundary of the El Dorado III subdivision. (APN's 728-08-014, 015; 728-07-047, 048, 050, 051)

Recommendation: Open Public Hearing/Adopt Resolution No. 03-38, with recommendation to forward to City Council for approval.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 10, 2003 MEETING:

- **UP-03-05: Joleen-Drywall/Lathing Apprenticeship**
- **Eot-03-07: Tennant-Safeway**
- **GPA-02-08: Monterey-Pinn Brothers**
- **ZA-02-20: Monterey-Pinn Brothers**
- **GPA-01-05: Clayton-Merlano**

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- ANX-01-04: Clayton-Merlano
- ZA-01-11: Clayton-Merlano
- GPA-03-01: Malaguerra-City of Morgan Hill Water Tank
- ANX-03-03: Malaguerra-City of Morgan Hill Water Tank
- USA/SOI-03-04: Malaguerra-City of Morgan Hill Water Tank
- ZA-03-05: Malaguerra-City of Morgan Hill Water Tank
- ZA-03-06: Text Amendment/Mobil Home Conversions
- Policy Establishing Guidelines for Preparation of Traffic Impact Reports

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.